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AMENDMENTS

To the last Report of the Committee on Federal Relations, presented by Mr. WISE, March 29, 1861.

AMENDMENT 1ST.—Amend by striking out the 1st and 2d sections of the report, and inserting:

1. In all the present territory of the United States, involuntary servitude, as it now exists, shall remain and shall not be changed; nor shall any law be passed by Congress or the territorial legislatures to hinder or prevent the taking of persons held to service or labor, from any of the States of this Union to said territory; nor to impair the rights arising from said relation; nor shall said rights be in any manner affected by any preëxisting law of Mexico in the part acquired from her; but the same shall be protected as other rights, and be subject to judicial cognizance in the Federal Courts, according to existing laws, and to the remedies and practice of the common law, so far as they may be consistent with each other. And, when any territory, within such boundary as

14 Congress may prescribe, shall contain a population equal to
 15 that required for a member of Congress, it shall, if its form
 16 of government be republican, be admitted into the Union on
 17 an equal footing with the original States, with or without in-
 18 voluntary servitude, as such Constitution of the State may
 19 provide. In all territory which may hereafter be acquired by
 20 the United States, involuntary servitude is prohibited, except
 21 for crime, north of thirty-six degrees thirty minutes; but
 22 shall not be prohibited by Congress or any territorial legisla-
 23 ture south of that line.

AMENDMENT 2D.—Amend by striking out the 3d section and inserting:

2. Neither the Constitution, nor any amendment thereof,
 2 shall be construed to give Congress power to abolish involun-
 3 tary servitude in any territory; nor in the District of Colum-
 4 bia; nor in the sites of forts, magazines, arsenals or other
 5 places ceded by the States to the Federal Government, within
 6 the limits of those States where involuntary servitude is es-
 7 tablished or recognized; nor within any forts, magazines,
 8 arsenals, or other places reserved within the limits of any
 9 territory for the uses of the Government of the United States;
 10 but Congress shall pass all laws necessary and proper to pro-
 11 tect the property in persons held to service or labor, in said
 12 territory, District, or other places ceded or reserved to the

13 United States. Nor shall any law be passed by Congress to
14 hinder or prevent the taking of persons held to service or
15 labor to or from the District of Columbia, or to hinder or pre-
16 vent the retaining of the same within the limits thereof.
17 Nor shall Congress have the power to prohibit the removal
18 or transportation, by land or water, of persons held to service
19 or labor in any State or Territory of the United States to any
20 other State or Territory thereof, where it is established or re-
21 cognized by law or usage; and the owner of property in per-
22 sons held to service or labor, or his agent, shall have the
23 right of transit through any State or Territory of the United
24 States with such property and persons, to and from any State
25 or Territory recognizing said property by law or usage, and
26 the right during transportation, by sea or river, of touching
27 at ports, shores and landings, and of landing and sojourning
28 with said property, in cases of need, temporarily, any law of
29 any State or Territory to the contrary notwithstanding. And
30 Congress shall not have the power to lay on persons held to
31 service or labor in any of the States or territories of the
32 United States any other tax than a capitation tax, to be ap-
33 portioned as capitation or other direct taxes are directed to be
34 apportioned throughout the United States according to the
35 fourth clause of section nine of article first of the Constitution
36 of the United States.

AMENDMENT 3.—Amend, &c., by inserting after the 3d section of the report:

SECTION 3. In all cases where the property in persons held to
 2 service or labor in any State or Territory of the United States,
 3 or in the District of Columbia, has been or hereafter may be
 4 taken for public use, as in cases of impressment in war or
 5 otherwise, the owner thereof shall be justly compensated as
 6 in cases of other property so taken; and in all cases involving
 7 questions of property in said persons, the rights of property
 8 in them shall be recognized and protected by the United
 9 States and their authorities as the rights of other property are
 10 recognized and protected.

AMENDMENT 4.—Amend the 4th section of the report by adding thereto these words:

And it shall be the duty of all the States, to pass all laws
 2 necessary and proper to aid, by their authorities, judicial and
 3 ministerial, in the execution of the laws passed by Congress
 4 for the delivery of fugitives from service or labor to the per-
 5 son to whom such service or labor is due. And in case the
 6 owner, or his agent, of the person held to service or labor,
 7 shall be unlawfully deprived of his property in such person
 8 by force or violence, by mobs or riotous assemblages, or by
 9 secret associations or conspiracies, in the limits of any State,
 10 such State shall make just compensation therefor, and it

11 shall be the duty of Congress to provide by law for the en-
12 forcement of such compensation.

AMENDMENT 5.—Amend the 5th section by adding these words:

Provided, that nothing herein contained shall be deemed to
2 apply to the Southern States which have declared, or may
3 hereafter declare, their separation from this Confederacy, in
4 case their separate independence shall be acknowledged and
5 continued.

AMENDMENT 6.—Amend by striking out the 6th section of the report.

AMENDMENT 7.—Amend section 7th of the report by adding thereto the words:

And no person of the African race shall be deemed and held
2 entitled, under the Constitution of the United States, to the
3 privileges and immunities of citizens in the several States.
4 And the several States are prohibited from passing any laws
5 establishing equality of the African with the white race
6 within their limits.

AMENDMENT 8.—After section 7 insert:

SECTION 8. The second clause of the second section of the
2 second article of the Constitution of the United States shall
3 be so amended as to take from the President of the United
4 States the power of nominating and appointing the judges of

5 the Supreme and other Federal Courts of the United States,
 6 and their nomination and appointment shall be vested in the
 7 Senate of the United States alone; and three-fourths of the
 8 whole number of Senators shall be required to confirm the
 9 appointments.

AMENDMENT 9.—Amend by inserting after the last amendment proposed:

SECTION 9. It shall be the duty of the several States, and of
 2 the Congress of the United States, within their respective
 3 jurisdictions, to pass all laws necessary and proper, to protect
 4 and preserve the domestic tranquility of the people of the
 5 several States, by suppressing all attempts of individual per-
 6 sons, or of assemblages, or associations to excite any por-
 7 tion of the people of the States to acts which will cause, or
 8 tend to cause, animosity or hostility between the various sec-
 9 tions, or any invasions of any of the States or territories of
 10 the United States, or which will introduce or invite foreign
 11 influence to divide the Union, or which may tend to destroy
 12 the same.

AMENDMENT 10.—Amend by changing section 8th of the report to section 10.

And it is hereby ordained and declared by this Convention,
 2 That the foregoing propositions of adjustment shall be sub-
 3 mitted to the people of this Commonwealth for their approval

4 or disapproval, at their elections, to be held on May next.
5 And that it shall also be submitted to them, at said elections
6 to decide whether, when said propositions in case of their
7 approval by the people of this Commonwealth, shall be
8 made to the co-States, they will not accept the same, or will
9 not respond thereto in a reasonable time or satisfactory man-
10 ner, the people of this Commonwealth will or will not re-
11 sume the powers granted by them under the Constitution of
12 the United States. And to that end, it is further ordained
13 that, it shall be the duty of the officers conducting the elec-
14 tion to be held for members of the General Assembly, in
15 May next, to prepare proper poll books, the form of which
16 shall be prescribed, and distributed throughout the Com-
17 monwealth, by the Secretary thereof, and to see that a poll
18 shall be opened at the several places of voting in every
19 county; and the said poll books shall have four columns:—
20 one to be headed, “propositions approved,” another to be
21 headed, “propositions disapproved;” a third to be headed,
22 “for resumption of powers,” and a fourth to be headed,
23 “against resumption of powers.” And it shall be the duty
24 of said officers conducting the election, to cause the names
25 of the qualified voters, voting at their respective precincts for
26 members of the General Assembly, to be recorded for or
27 against the said propositions of adjustment, and for or against

28 the said alternatives of resuming or not resuming the powers
29 granted by the people of this Commonwealth, under the
30 Constitution of the United States, in case of the rejection
31 of said propositions, or failure to answer them satisfac-
32 torily or at all, by the co-States, under the respective head-
33 ing, according to the vote of each voter. And said poll
34 books shall be certified and returned by said officers within
35 five days after the election, to the clerk of the county or
36 corporation court, as the case may be, where the election is
37 held. And it shall be the duty of the respective clerks to
38 certify the result of the vote to the Governor of the Com-
39 monwealth, under their seals of office, within five days after
40 the said poll books shall have been returned to them by the
41 officers conducting the elections. And the Governor and
42 Secretary of the Commonwealth shall compare and count
43 the said polls and ascertain the result of the vote of the
44 people of the Commonwealth, and the Governor shall make
45 the same known by proclamation; and he shall communicate
46 the result to the President of this Convention, who shall
47 immediately assemble the members thereof, if not in session;
48 and, if said propositions be approved by the people, or
49 whether approved or not by the people, they shall adopt the
50 alternative of resuming the powers granted by them under
51 the Constitution, then this Convention shall proceed to act

52 accordingly. And in case both the "propositions" and
53 "resumption" are adopted by the people, this Convention
54 shall await responses to the former, by the co-States, until
55 the 1st day of October next; if the responses are satisfactory
56 they shall be accepted; if not, or insufficient responses or no
57 responses at all are made, then the alternative of "resump-
58 tion" shall be ordained by this Convention, and be made
59 the supreme law of the Commonwealth; or, if the said pro-
60 positions shall be rejected by the voters, and the alternative
61 of resumption be adopted by them, then this Convention
62 shall proceed immediately to ordain and proclaim that the
63 people of this Commonwealth will resume the powers granted
64 by them under the Constitution of the United States.



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